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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/749,084	12/25/2000	Toshihiko Okabe		3266

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FRISHAUF, HOLTZ, GOODMAN & CHICK, PC
220 Fifth Avenue
16TH Floor
NEW YORK, NY 10001-7708

EXAMINER	
PESIN, BORIS M	
ART UNIT	**PAPER NUMBER**
2174	

DATE MAILED: 06/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/749,084	OKABE ET AL.	
	Examiner	Art Unit	
	Boris Pesin	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 March 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *21, 24-26, 28, 33-35, 37, 39, and 41-50* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *21, 24-26, 28, 33-35, 37, 39, and 41-50* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This communication is responsive to the amendment filed 03/28/2006.

Claims 21, 24-26, 28, 33-35, 37, 39, and 41-50 are pending in this application. Claims 21, 30, 37, 39, 43, and 47 are independent claims. In the filed 03/28/2006 claims 43-50 were added as new claims. This action is made Final.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 21, 24, 28, 30, 33 and 39, 43-45, and 47-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft Windows NT in view of Li et al. (US 5418950).

In regards to claim 21, Windows teaches a data transfer method for transferring data from a displayed operation target, said method comprising: specifying an arbitrary part of the displayed operation target by indicating a start position and an end position with an input pointer of an input device (Figure 1, Element 1); and transferring data within the specified arbitrary part of operation target to a transfer destination when the coordinates are judged to be within the specified arbitrary part (Figure 2, Element 2).

Windows does not teach judging whether coordinates of an input pointer of the input device, when the single event is performed, are within the specified arbitrary part of the operation target; performing a single event with the input device to transfer the specified arbitrary part of the operation target and a method wherein a beginning position of the input pointer on a display screen at a beginning of the single event and an end position of the input pointer on the display screen at an end of the single event are the same. Li teaches, "A user can double click on a SELECT statement in 310 to open a detailed definition for viewing or modification, single click on a SELECT statement to copy its text to the last cursor location in the FULLSELECT text pane and drag-drop a SELECT statement to a "trash can" to delete it from the library list." (Column 16, Line 10). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Windows with the teachings of Li and include a single click copy mechanism with the motivation to provide the user a simpler way of copying data.

In regards to claim 24, Windows and Li teach a data transfer method according to claim 21, further comprising: selecting an arbitrary transfer destination from a plurality

of transfer destinations; and setting the selected arbitrary transfer destination as the transfer destination (Windows, Figure 2, Element 2).

In regards to claim 28, Windows and Li teach all the limitations of claim 21. Li further teaches a data transfer method wherein the single event comprises one of: a single click, a double click, and a triple click of a mouse ("A user can double click on a SELECT statement in 310 to open a detailed definition for viewing or modification, single click on a SELECT statement to copy its text to the last cursor location in the FULLSELECT text pane and drag-drop a SELECT statement to a "trash can" to delete it from the library list." Column 16, Line 10).

Claim 30 is in the same context as claim 21; therefore it is rejected under similar rationale.

Claim 33 is in the same context as claim 24; therefore it is rejected under similar rationale.

In regards to claim 39, Windows teaches a data transfer device comprising: means for specifying an arbitrary part of the displayed operation target by indicating a start position and an end position with an input pointer of an input device (Figure 1, Element 1); and means for transferring data within the specified arbitrary part of the operation target and data indicating a web address of the data within the specified arbitrary part of the operation target to an editor when the coordinates are judged to be within the specified arbitrary part (Figure 3).

Windows does not specifically teach a means for judging whether coordinates of the input pointer of the input device are within the specified arbitrary part of the

operation target when the single event is performed; and a method wherein a beginning position of the input pointer on a display screen at a beginning of the single event and an end position of the input pointer on the display screen at an end of the single event are the same and for performing a single event with the input device to transfer the specified arbitrary part of the operation target. Li teaches, "A user can double click on a SELECT statement in 310 to open a detailed definition for viewing or modification, single click on a SELECT statement to copy its text to the last cursor location in the FULLSELECT text pane and drag-drop a SELECT statement to a "trash can" to delete it from the library list." (Column 16, Line 10). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Windows with the teachings of Li and include a single click copy mechanism with the motivation to provide the user a simpler way of copying data.

In regards to claim 43, Windows teaches a data transfer method for transferring data from a displayed operation target, said method comprising: specifying an arbitrary part of the displayed operation target with an input device (Figure 1, Element 1); and transferring data within the specified arbitrary part of operation target to a transfer destination when the coordinates are judged to be within the specified arbitrary part (Figure 2, Element 2).

Windows does not teach performing a single event with the input device to transfer the specified arbitrary part of the operation target and a method wherein a beginning position of the input pointer on a display screen at a beginning of the single event and an end position of the input pointer on the display screen at an end of the

single event are the same; and judging whether coordinates of an input pointer of the input device, when the single event is performed, are within the specified arbitrary part of the operation target. Li teaches, "A user can double click on a SELECT statement in 310 to open a detailed definition for viewing or modification, single click on a SELECT statement to copy its text to the last cursor location in the FULLSELECT text pane and drag-drop a SELECT statement to a "trash can" to delete it from the library list." (Column 16, Line 10). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Windows with the teachings of Li and include a single click copy mechanism with the motivation to provide the user a simpler way of copying data.

In regards to claim 44, Windows and Li further teach a data transfer method according to claim 21, wherein the step of specifying of the arbitrary part of the displayed operation target with the input device is performed according to a predetermined rule (Windows, Figure 1, The mouse button has to be clicked and the mouse dragged to select the data to transfer).

In regards to claim 45, Windows and Li further teach a data transfer method according to claim 21, further comprising: dividing the operation target in advance according to predetermined rules for the operation target; wherein if an arbitrary part among a plurality of divided parts is selected by the input device, the selected part is used as the specified part (Windows, Figure 1, The mouse button has to be clicked and the mouse dragged to select the data to transfer, further the user can click on the files

he does not want to transfer by pressing and holding the ctrl button and clicking on the files).

Claims 47-49 are similar in scope to claims 43-45 respectively; therefore they are rejected under similar rationale.

Claims 25 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Windows in view of Li et al. (US 5418950) further in view of Hoeber et al. ("Hoeber", US # 5276795) and Roth (US # 6583797).

As per claim 25, Windows and Li teach all claim limitations as applied to claim 21. Furthermore, Windows teaches displaying a plurality of transfer destinations on a menu and selecting a transfer destination from that menu (Figure 1, Element 2). Windows and Li do not disclose using the most recently selected transfer destination as the default destination however. Hoeber teaches a method for selecting and executing defaults in a menu system, wherein the user can speed their use of menus by creating a default selection (column 9, lines 3-10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make a menu item the default destination, as taught by Hoeber, in a menu with a plurality of transfer destinations, as taught by Windows and Li, for the purpose of reducing the amount of time required for a user to choose a transfer destination. However, Windows, Li and Hoeber do not disclose using the most recently selected menu item as the default menu item. Roth teaches that it is known to rank menu items and arrange them in order from most recent

to least recent (column 7, lines 56-60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Roth's teaching with Windows, Li and Hoeber to create a default menu system that uses the most recently chosen item as the default. This would thereby further the efficiency of the user by speeding their selection of menu items.

Claim 34 is in the same context as claim 25; therefore it is rejected under similar rationale.

Claims 26 and 35 rejected under 35 U.S.C. 103(a) as being unpatentable over Windows in view of Li et al. (US 5418950) as applied to claims 21 and 30 above, and further in view of Microsoft Word 2000 ("MS Word", Screen Dumps).

As per claim 26, Windows and Li teach all claim limitations as applied to claim 21. Windows and Li do not disclose a data transfer method according to claim 21 further comprising: performing processing to disable a hyper link in the operation target. MS Word teaches that it is known to remove a hyperlink in order to allow for easier word processing of a hyperlink (figures 1 - 3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to add a function that disables hyperlinks, as taught by MS Word, to a menu system that allows users to transfer information to a plurality of destinations, as taught by Windows and Li, in order to allow for easier selection of a part of a hyperlink.

Claim 35 is in the same context as claim 26; therefore it is rejected under similar rationale.

Claims 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over as being unpatentable over Windows in view of Li et al. (US 5418950) and further in view of Tim (Google Groups).

In regards to claim 37, Windows teaches a data transfer system, comprising: means for specifying an arbitrary part of the displayed operation target by indicating a start position and an end position with an input pointer of an input device, and for performing a single event with the input device to transfer the specified arbitrary part of the operation target (Figure 1, Elements 1 and 2).

Windows does not teach a method means for judging whether coordinates of the input pointer of the input device are within the specified arbitrary part of the operation target when the single event is performed; and wherein a beginning position of the input pointer on a display screen at a beginning of the single event and an end position of the input pointer of the display screen at an end of the single event are the same. Li teaches, "A user can double click on a SELECT statement in 310 to open a detailed definition for viewing or modification, single click on a SELECT statement to copy its text to the last cursor location in the FULLSELECT text pane and drag-drop a SELECT statement to a "trash can" to delete it from the library list." (Column 16, Line 10). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Windows with the teachings of Li and include a single click copy mechanism with the motivation to provide the user a simpler way of copying data.

Windows and Li do not teach a means for transferring data within the specified arbitrary part of the operation target to a retrieve server via a browser when the coordinates are judged to be within the specified arbitrary part; means for receiving a retrieve result based on the transferred data from the retrieve server; and means for displaying the received retrieve result. Tim teaches, "one function allows you to highlight text and when you click the button you are taken to a search window with the highlighted text as the target." Paragraph 3). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Windows and Li with the teachings of Tim and include a method to copy text to a search engine and display the search results with the motivation to provide the user with a convenient method of searching for information.

Claims 41 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over as being unpatentable over Windows in view of Li et al. (US 5418950) further in view Jalby ("The Mac Observer") and further in view of Tim (Google Groups).

In regards to claim 41, Windows and Li teach all the limitations of claim 21. They do not teach a means for displaying data of the specified arbitrary part of the operation target in an edit window to edit the data of the specified arbitrary part. Jalby teaches, "Clipboard Edit is a simple application which allows to edit the content of the clipboard (both text and graphic clipboards). You can save it as a clipping file or as a SimpleText file. Moreover, you can use several filters to clean up and convert text clipboard."(Page 1). Since Li copies data to the "Full Screen Statement" clipboard, it would have been

obvious to one of ordinary skill in the art at the time of the invention to modify Windows and Li with the teachings of Jalby and include a method to edit the contents of the clipboard with the motivation to provide the user with a convenient method of editing stored information.

Windows, Li and Jalby do not teach a means for transferring edited data to a retrieve server when an instruction for transferring is received. Tim teaches, "one function allows you to highlight text and when you click the button you are taken to a search window with the highlighted text as the target." Paragraph 3). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Windows, Li and Jalby with the teachings of Tim and include a method to copy text to a search engine and display the search results with the motivation to provide the user with a convenient method of searching for information.

Claim 42 is similar in scope to claim 41; therefore it is rejected under similar rationale.

Claims 46 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Windows in view of Li et al. (US 5418950) as applied to claims 21 and 30 above, and further in view of Kodimer (US # 5781192).

In regards to claim 46, Windows and Li teach all claim limitations as applied to claim 43. Windows and Li do not disclose receiving a result of voice recognition of words input from the user; and determining a part of the operation target corresponding to the received voice recognition result, as the specified part of the operation target.

Kodimer teaches a data transfer system wherein, voice recognition is used to select a target range. Kodimer states, "[the] cursor can be controlled by the user through pointer device or by some other means (e.g., ... voice recognition, ...)" (column 7, line 33). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include multiple means of selecting specified part of the operation target, as taught by Kodimer, to a menu system that allows users to transfer information to a plurality of destinations, as taught by Windows and Li, in order to allow the user more options as well as accommodating handicapped users of this menu system.

Claim 50 is in the same context as claim 46; therefore it is rejected under similar rationale.

Response to Arguments

Applicant's arguments filed 03/28/2006 have been fully considered but they are not persuasive.

In regards to the Applicant's argument that according to Li et al it is only possible to select and transfer the data on entire operation target and thus Li does not teach selecting and transferring data of an arbitrary part, the Examiner respectfully disagrees. While the Examiner agrees with the Applicant that Li selects the whole part for transferring; however the rejection is not solely based on Li. The Examiner used Microsoft Windows NT, which teaches selecting an arbitrary part, in combination with Li to reject the independent claims. One cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references.

See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Pesin whose telephone number is (571) 272-4070. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BP

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100